4: Garnett B-4, 5 (ca. 1880) 1891
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[539]

Remorseless, Death, I know thou art,
Yet, from a mother lone,
How couldst thou take her only son,
Her boy, her dearest one?

Why didst thou not, my treasured child,
My only darling son—
Why didst thou not resist his blow?
My boy, my dearest one!

Ah! knew'st thou not, within my heart,
Should'st thou from me be gone,
Thou ope'st a wound must ever bleed?
My boy, my dearest one!

[152] Sometimes, too, as among the Greek women, a mourner finds no adequate outlet for her grief in the conventional dirges, and, inspired by sorrow, bursts into an improvised lament for the lost son, brother, or husband, extolling his virtues and bewailing his fate.

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152 It is said that when an Albanian of the mountains is led to execution by the authorities for any crime but that of theft, which is by these people alone considered disgraceful, he walks to his doom with head erect and bearing dignified, improvising as he goes his own dirge, in which he relates the circumstances that have led to his premature departure from the world. His mother and sisters follow him to the place of execution, their hearts devoured with grief, but wearing smiles on their lips, in order that their relative may, on his side, show no sign of weakness. Intently they listen to his death-song, the words of

4: Garnett B-4, 5 (ca. 1880) 1891
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which they treasure in their memories, and hand down to their posterity.[1]

The funeral, in conformity with the usual Eastern custom, takes place within four-and-twenty hours after death. Before the corpse leaves the house, it is measured with a string, which is then thrown up into the rafters. If the deceased has not a silver ring on his finger, a coin is placed, as among the Greeks, on the mouth; and one of the relatives seats himself three times on that part of the floor on which he breathed his last. On the way to the burial ground, the men surround the bier, the women follow behind, and resume their wailings as the procession leaves the house. Arrived at the mosque, or church, the men enter, but the women remain without, weeping, shrieking, and lamenting continually. Before leaving the church, the men give the dead a last kiss, the women doing the same at the grave. The body is laid in the bare earth, and a stone slab is placed over it, on which the earth is cast. At this stage of the proceedings, the cries of the women become quite heartrending; they crowd round the grave, and can with difficulty be prevented from throwing themselves

[1] This calls to mind Burns' spirited song, "MacPherson's Lament," the words of which might fittingly be used by an Albanian *pallikar*:

"I've lived a life of sturt and strife;
I die by treacherie;
It burns my heart, I must depart,
And not avenged be.
Sae rantingly, sae wantonly,
Sae dauntingly gaed he;
He played a spring, and danced it round,
Beneath the gallows tree."

10:Hasluck F-5 (1926-1939)1954 EGl Albania EGl

694 paid, for which reason both elders and litigants thought bargaining about it superfluous.

The litigants having formally consented to pay his fee, the elder next asked each of them to bring him a pledge. This served a threefold purpose. Once given, it could not be taken back till the case was settled and the fee paid. The litigants might repent of going to law or of engaging this particular elder, but unless they forfeited their pledges, they could neither stop the case nor change the elder. The pledge was, secondly, the elder's security for payment of his fee. As soon as he had delivered judgement he was entitled to his fee, and until it was paid he was entitled to retain the litigant's pledge. Occasionally in Zerqan an elder trusted a client enough to dispense with a pledge, and some in Martanesh asked only a token one, such as a cigarette, thus paying the integrity of their clients a high compliment. The normal pledge was of greater value than the fee, or share of the fee, payable by each litigant. Since pledges had been instituted in days so distant that money was hardly—if at all—known, a material article such as a gun, a revolver, a watch or a silver tobacco-box was generally handed over. It was for the elder to choose which it should be.

696 626 In Mirditë the article deposited was known as the 'pledge of acceptance or agreement', because its third purpose was to bind the litigants to accept the elder's decision. If one was refractory the elder had the right to retain his pledge. In a certain boundary case Cen Elezi of Dibër, having stipulated for a fee of twelve napoleons from each litigant, asked each to bring his tobacco-box as a pledge. As his son put it, this did not nearly cover his fee but was rather a preliminary 'symbol of acceptance' of his decision. Indiscipline in such matters naturally weakened the social fabric by destroying one of its most unifying factors, the authority of elders. Various steps were taken to reinforce decisions. Selim Peshku of Martanesh charged fees that ranged from five gold Turkish pounds to one, but he never took up a case until the larger sum had been deposited in pledge of submission to his judgement, and in case of recalcitrancy he showed no scruples about pocketing the pledge money. The disparity between his lowest fee and his unvarying pledge shows that he was trying, not so much to safeguard his own fee, as to maintain social discipline. Mirditë sought the same end by enacting that a judgement delivered without pledge being taken was invalid before the law and that a verbal

10: Hasluck F-5 (1926-1939)1954 EG1 Albania EG1

pledge was valueless; something concrete and tangible must be given.

The pledges deposited, the elder set to work on the case in earnest, questioning any villager who had information, visiting the scene of trouble, interviewing any private informant who volunteered to give evidence, and so arriving at the rights and wrongs of the simpler cases. In more difficult cases he put one of the litigants to the oath, dictating his terms and stipulating the number of 'good men and true' who were to be persuaded by the litigant to take it with him. This rarely failed to show which litigant was in the wrong, and the elder came forthwith to his decision with confidence.

When the litigants were friendly, they might agree to engage two elders. In that case they selected them one after the other by the same method of mutual consent as they would have selected one. They also agreed to divide the cost in elders' fees and meals. That done, they laid the case before the elders, one after the other, and bargained with each about his fee and the number of meals he was to be given. These rewards were not necessarily the same for both elders. Sometimes they visited the elders together; more often each visited one only. In the usual way each was required to deposit a pledge with the elders.

When the litigants were not friendly, and this was the most common contingency, each found an elder for himself, without consulting the other or considering his views on the man. Each brought his own elder whatever pledge he desired; this meant that one litigant might have to deposit a gun and the other a tobacco-box. Each also bore the sole responsibility for his elder's fee and meals and made for himself the best bargain about them that he could.

A pair of elders worked on these same lines; singly perhaps during the period of investigation, certainly meeting at its conclusion to argue out the pros and cons of the case. If each represented a separate litigant, each tended to favour his own client, so introducing a new principle. The elder was no longer only a judge as he was when he was engaged by the two litigants; he was also the advocate of his own litigant, trying to do the best for him by arguing against the advocate of the other litigant. The loser was more likely to contest the decision under such circumstances.

When the two elders had hammered out an agreement they sent for the two disputants, said they had come to an agreement, and

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asked if they were willing to accept this. In the most fortunate event the disputants consented and the elders communicated their decision. Each then said to his own man, 'Now bring me my dues and I'll return your pledge'. As soon as his fee was paid he gave back his pledge to his client. If the disputant had no ready money for the fee, a common enough occurrence, he said he would wait a month or two, provided that the disputant could find someone to go bail for him. When the term he had fixed was up without bringing payment of his fee, he sold the pledge and so recouped himself. If he got rather more for the pledge than the amount of his fee the disputant had no right to claim the extra money. The elder never sold the pledge before the date he had fixed. If within the term he fixed the disputant found enough money for his fee, he was no longer allowed to pay it directly but had to transmit it through his guarantor, who in return brought back his pledge from the elder. Sometimes the guarantor saw that the disputant would never be able to redeem his pledge and paid the elder's fee for him. Unfortunately, elders had no power behind them with which to enforce their judgement. Their work was in fact arbitration rather than judging in the English sense. It was, therefore, common for elders in central Albania to communicate their findings to the disputants and then to add, 'Now settle the matter as you like. We have decided that this one of you is in the right.' Too often the loser shot his successful rival, so starting a bad blood feud. Pjetër Gjoni of Theth had his house burgled, and the thief bribed the elders into putting too low a value on the stolen property, assessing it at two napoleons. Pjetër, who had already spent one napoleon on finding out who had been the thief, declared immediately that he would not abide by this judgement and killed the thief. In revenge the thief's family burned down Pjetër's house and carried off all his cattle.

Naturally many attempts were made to prevent such sequels to judgements. In Martanesh, Selim Peshku kept the pledges of both disputants for a time. This was against the rules, but Peshku had the peace of the community at heart and made 'anything for peace' his motto. In Zerqan all the elders in the village would meet and would fine a recusant before he could shoot the successful litigant. Sometimes in the same village the two elders refused to deliver judgement until the disputants had promised to abide by it and had each found a guarantor who undertook to see that they kept their

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl

promise—if they did, there would be no shooting. Each had to give this guarantor a pledge of the usual type—rifle, revolver, watch—which was laid before the elders. The elders then delivered their judgement, the two disputants accepted it and had their pledges returned. If a disputant broke his promise and shot his rival, the village Council of Elders would fine the guarantor, asking him why he had let the man break his word. In this way, through the medium of the guarantor a good deal of pressure was brought to bear on the loser to make him keep the peace. In the Elbasan area it was agreed that a disputant who gave a meal to the elders thereby accepted their judgement, so that the strong instincts of hospitality came into play. In Mirditë the elders whose decision was flouted bade the disputants 'go to Shupal (St Paul's Church) or the Grykë e Oroshit (Defile of Orosh)', i.e. bring the matter up before the next General Assembly for the tribe at one or other of these famous meeting-places. If the loser would not abide by the decision of the General Assembly he could be fined by the tribe, ostracized or even banished for a period. Occasionally a strong man subjected to such sanctions killed the offending elder; by so doing he involved himself in yet another blood feud. In Mirditë and adjacent areas emphasis was laid on the fact that the recusant loser had himself chosen and approved the offending elder, and had signified the same by giving him a pledge. By these acts he had stripped himself of the right to take back the pledge or to express active disapproval of the judgement given. Only in the event of the judgement's being demonstrably biased or unfair were the disputants allowed to challenge it. 'A crooked judgement can be annulled', the law stated. Often the crookedness was established by the loser going secretly to ask another elder for his opinion. In that event the disputant had everywhere the right to appeal against the judgement and to call for a new examination of the case by another elder or pair of elders. In some parts, the law ruled that 'the law does not admit of elder on elder, and trial on trial', and that a man who had 'chosen and approved' elders had no right to call in others.

Frivolous changing of elders was restrained by the extra expense this entailed. In Lumë, for instance, if two brothers were displeased by the manner in which their chosen elders were dividing their property, they could call in one more elder, a *staraplak* (ancient), whose decision was final. But his regulation fee was five

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while he had gone to the ambush by another's instructions he had walked there on his own legs. As the instigator of the crime had broken his promise about paying the blood money, they sentenced him to have his house burned down by the tribe.

On one occasion Lek Dukagjini had come at Skanderbeg's invitation to discuss some blood feuds at a General Assembly of all the tribes in the land. Skanderbeg opposed the principle of 'a life for a life' on the grounds that all men were *not* equal; the blood of a physically fine man was different from that of a poor type. At Lek's suggestion, however, he inquired of his mother, upon oath, what sort of a man his father had been. On learning that he had been a poor type, Skanderbeg at the next Assembly agreed to the principle of equality!

About 1870, when Kolë Prenga the Great was Captain of Mirditë, a jar of butter was stolen from the church house in Orosh during the priest's absence. On his return his servant, who had also been away at the time, informed him of the theft. The priest, a Franciscan, informed the bajraktar of Orosh. The latter convened the tribe (*bajrak*) but no one confessed to the theft. The bajraktar then informed Captain Kola. The captain undertook to track down the culprit, and one day ordered the tribe to assemble on the open space in front of the church at Orosh. In spite of Captain Kola's questions no one came forward to confess to the crime. Then Captain Kola, together with the chiefs of the tribe, sentenced the unknown thief to death and banishment from the tribe; his house, too, was to be destroyed and his land left uncultivated. Not long afterwards the thieves were discovered. They were two young men of Orosh, Prengë Kolë Marku and another whose name has been forgotten. Captain Kolë Prenga the Great again ordered the tribe to assemble, one man from every house, at the church at Orosh. The two young men also came by order to the meeting. Captain Kola read out the sentence that had previously been pronounced. The two thieves were stood in the middle of an open space, unarmed and with their hands folded at the waist. The tribe stood up awaiting the captain's order to fire. But the priest, filled with pity for the culprits, begged the captain, the chiefs and the commoners to grant them their lives. This was done, they paid money to the church for their sacrilege, returned twice the quantity of what they had stolen, paid the usual fine and were expelled from the tribe.

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[688] It was not the theft but the sacrilege that on this occasion called
689 the tribe of Orosh to a General Assembly and made them pronounce even the death sentence; without the sacrilege the fine would have been penalty enough. Murder of a priest, again heinous sacrilege, raised the same issues, but without hope of any reprieve from death save what secret flight might provide. Murder of a guest or of a man with whom the murderer had previously sworn an oath of peace, that is to say, of persons who had a right to protection, also came before a General Assembly and was punished by the severest penalties, including death. Yet theft in the ordinary way was [696] handled by elders and punished by a fine, and murder of the ordinary type was left to the victim's family and punished by blood vengeance. These were crimes against the individual and matter for individual handling. Sacrilege, however, and the murder of protected persons, were crimes against society, the former threatening the authority of the Church and the latter the tribal fabric.

689 When a man's general behaviour was a public menace or nuisance,
693 he usually found himself before a General Assembly. To begin with, the elders of his social unit took the matter up as was their duty, attempting first to reason him into a better frame of mind. If this failed, they had to call a plenary meeting of the village to try the culprit and to carry out whatever sentence was pronounced. This was usually burning down his house and leaving his land untilled for a specific number of years. If he still persisted in his evil-doing, and this was serious socially speaking, the elders could call the whole tribe to their assistance. For public pests incited public extermination, and this required the sanction and the whole force of the tribe. Miss Durham relates what she calls 'an amazing case of wholesale justice' which occurred in the Mirditë tribe, Fan, in February 1912. A certain family in this tribe had become notorious for evil-doing, robbing, shooting and general misconduct. A 'gathering of the whole tribe' condemned all the males of the family to death. Men were appointed to lie in wait for them on a certain day and pick them off. And on that day the whole seventeen of them were shot. One was only five and another only twelve years old. It was even proposed to kill an unfortunate woman who was pregnant in case she should bear a male and so renew the evil.[1]

[1] Durham, op. cit. p. 75.

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each seeking their support. Had four refused at this stage to take the oath Asllan would at once have been publicly convicted—if less than four, two substitutes would have had to be produced for every one that refused; two for one, four for two, and six for three, and there would have been no extension of the time limit. In this case, however, all the compurgators agreed to swear to Asllan's innocence, and he himself, towards the end of the week, swore on the Koran that he had nothing to do with the theft. Later the compurgators, led by Qazim's nominees, took the oath of Asllan's innocence before the whole village. Actually, Qazim cut short the proceedings after six or seven had sworn, as by then the compurgators most likely to know the truth had sworn to the suspect's innocence.

Having celebrated his acquittal with a banquet to the compurgators, Asllan two days later yoked the stolen ox, hidden during the case in a lonely sheepfold, to his plough. Now, although the mistake—either designed or accidental—of the compurgators was obvious, there was no legal machinery for annulling the verdict. In the opinion of the village, however, Asllan received his punishment when shortly afterwards his son was born lame.[1]

Qazim in Labinot put his case into the hands of the headman of his village. In the tribal north he would have entrusted it to the elder of his brotherhood, ward or village or perhaps to the bajraktar of his tribe.

Tribal officials, being hereditary, had more authority to act for their community than had the temporary headman in non-tribal districts such as Labinot. In Milot, the most northerly village of Kurbin, the victim tackled the suspect himself, asking him first if he had committed the outrage and then if he would take oath that he had not. In view of the fieriness of Albanian tempers this information is surprising—one would expect shooting to put an abrupt end to such an interview—but it is confirmed by information from the neighbouring village of Laç. When one of its inhabitants denied having received a loan, the lender asked him directly to swear in the presence of two or three witnesses that he had never been lent the money.

Only men of military age and capacity had standing enough to

[1] A very similar system of compurgators exists among the Naga tribes of Assam. There, however, though in some tribes there is no means of modifying the verdict if an oath prove to be false, in others a compurgator who discovers that his principal is lying can 'withdraw his life', otherwise in danger from the false oath, and so reopen the case *ab initio*. (Ed.)

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More often a suspect volunteered unasked to take an oath. For example, about 1931 a man in Zerqan shot his wife for some reason unknown and was then, very properly by local standards, hunted by her relatives. In desperation he offered to take an oath with twelve compurgators, the statutory number for a murdered woman, that he had not killed her. He managed to persuade all twelve to take the oath, and so, though the public still believed him guilty, he secured a formal acquittal and escaped further molestation by her relatives.

Here is another example. In the early 1930's a villager of Nangë in Lumë killed a neighbour, in order to marry the widow. The victim's cousin, as required by ancient custom, shot the woman and tried to shoot the man. He missed him again and again, but made his life such a misery that the man volunteered to take an oath with twenty-four compurgators, the statutory number for a man, that he had not killed his neighbour. Less lucky than the scamp of Zerqan, he was left to the cousin's vengeance. One compurgator failed to come to take the oath, so convicting him. It transpired later that the cousin had bribed this compurgator with two napoleons not to come, but the verdict of the oath could not be quashed and the case retried.

In property disputes the choice of the oath-taker depended almost universally on the wishes of the elders. When they decided that a dispute about land, or irrigation water was to be settled by an oath, they generally said that one of the disputants must swear that the property was his. Most often they preferred the man in possession, but sometimes they chose the one with the weaker claim in the hope that he would shrink from the ordeal, and so bring the dispute to a speedy end. In Çermenikë, and no doubt elsewhere, when there was some disparity of age they selected the older disputant, on the assumption that his greater age would mean greater knowledge of the facts. Very occasionally, before the dispute was laid before the elders one disputant bade the other take the very serious oath on the head of his son. Sometimes, particularly in boundary disputes, the elders put neither disputant to the oath. Instead, they chose an old man who had no direct interest in the dispute, but had learned the facts from his father and was trusted.

There were various names for the two principals. In all types of case and in all areas the oath-taker was called 'the master of the

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fail to turn up. If even one so failed, the suspect was declared guilty. Indeed, the easiest and least obnoxious way of convicting the suspect was not to turn up for the oath. Such was the almost universal rule. In the Malësi e Madhe, however, a message was sent to a missing compurgator to make sure that he had not merely forgotten the date. If he replied that he had not come on purpose because he thought the suspect was guilty, the case ended, a verdict of guilty being returned. If he replied that he was absent for personal reasons, an attempt was made to find two others to take his place at once; if this succeeded, the oath was taken. If only one compurgator did not attend in Bytyç, the oath could be taken, particularly if the reason for the compurgator's default was the newly discovered pregnancy of his wife. These rules applied only to the accuser's quota. If one of the suspect's compurgators failed to turn up, any bystander who could be persuaded to join the jury might be substituted. As the suspect was not bound to disclose the names of his quota, the public was often unaware that the second man was a substitute and not the suspect's first choice.

In Mirditë the verdict was virtually known before the taking of the oath. When the suspect felt ready to take the oath he invited the compurgators to a meal in his house. If they declined his invitation it meant that they thought him guilty and would not take the oath. If they accepted his invitation he could sleep in peace, secure in the knowledge that whenever the time came for them to take the oath, they would do so. Once they had eaten his food, the oath was as good as taken. This custom may have developed because the suspect had to assemble the compurgators to hear him take the oath and was forbidden by his instincts of hospitality to leave them unfed. In Labinot, Çermenikë and Zerqan, the suspect also offered the compurgators a high-class meal, with meat and rice pilaff, but not till after they had taken the oath, and only if he had been cleared. The meal was thought to ratify the oath and to reward the compurgators in some measure for their trouble.

A loser who did not abide by the verdict of the oath lost 'face'. Some years ago, a family in Fulqet died out. Two neighbours, more or less related to the family, claimed its land, one taking possession of it and the other gathering a stackful of hay from it. Even the women quarrelled so fiercely over it that they had to be separated by gendarmes and the elders intervened and said that the relative in possession must take an oath with twenty-four

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696 compurgators that the land was his. He took the oath, but the other refused to accept its verdict and the quarrel continued. The whole village denounced this as 'very shameful'.

[558] Some losers were made to accept the verdict by the realization that resistance would only plunge them into the difficulties of a blood feud, and others submitted in fear of losing 'face'. The [696] elders had normally little machinery for enforcing the verdict. In one difficult case observed by the author in Çermenikë however, they succeeded by the unusual device of putting both claimants to the oath. An old, forceful man had quarrelled about irrigation water with a young rascal who was his distant relative. The elders decided that if the young man could take the oath, he should have the water; if he could not, the old man must not think the water his but must take oath on another day that it was his by right. As the young man was a notorious liar, it was not expected that he would be able to muster the requisite number of compurgators. But to the general surprise he succeeded, and took the oath. The elders decreed that he should have water for six hours every five days. The old man seemed at first to acquiesce in this decree, but later held up the water and turned out his own compurgators to take oath along with himself that it was his. But the elders would not countenance such disobedience, particularly as he had originally submitted to the verdict of his relative's oath; and by refusing to come and witness his oath they prevented it from being taken. Eventually he gave in, and allowed the young man to have water according to the oath that he had sworn as prescribed by the elders.

693 Another interesting case occurred in Dibër about 1935. Cen
696 Elezi was asked to arbitrate between two cousins in Çajë, in south Lumë, who were quarrelling about a piece of land. He asked a fee of twelve napoleons from each, and accepted their tobacco boxes in pledge thereof. The boxes were silver but not worth anything like his fee, so they were only a token pledge. Cen then went to see the land and discovered that neither cousin knew exactly where its boundaries lay. He pointed this out and said that this and their relationship made arbitration difficult. One of them, whom he named, must therefore take oath with six named and six unnamed compurgators that the land was his. First of all, however, he must set up the boundary stones in their proper places. On the day arranged Cen could not go himself to witness the oath. He

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sent the cousins word to that effect and said he was sending a deputy. 693
When the latter arrived, he found the named cousin ready to take 696
the oath but no boundary stones in place. He refused to witness
the oath because Cen's condition had not been observed. The
matter was referred back to Cen, who said that since the cousin put
to the oath had been unable to take it as enjoined, the other must
have the land. If they did not wish to accept this judgement, let
them bring him four napoleons each as his fee for the incomplete
oath, and let them find another elder and he would pay his
expenses; he was no guarantor to make them accept his judgement.
The cousins prepared to accept his decision, but when the winner
began to plough the land, the loser shot one of his men dead and
wounded another; the feud continued for many years.

The oath derived its efficiency as a legal instrument from super- 782
stitious fear of punishment for perjury. God, as the Almighty, was [695]
naturally the chief agent of this punishment. 'Don't let God catch
a perjurer', said the aphorism. In invocations the connexion
between oath and Deity was simple. The oath-taker called God or
one of His saints to witness to the truth of what he was about to
swear, and did so in the full knowledge that if he angered Him by
perjury, he must expect a manifestation of Divine wrath. There was
a very definite belief that God was watching. In oaths sworn on
a sacred object or building, such as 'By this good thing of the Lord',
there was an indirect invocation of the Deity, but also while the
oath-taker swore, he had to keep his hand on the sacred object—
Gospel, crucifix, altar, church door, Koran, saint's grave—just as
a witness in an English law court must take the oath with his hand [778]
on the Bible. This act established physical contact between the
oath-taker and the Deity or saint with which the sacred object or
building was associated. To a simple tribesman this was a very
solemn thought. On this account these contact oaths were preferred
above all others. Probably the contact also made the tribesman
think punishment more certain. All over the Near East the
principle of direct contact with holy things plays an important
role. This is most familiar in cases of sickness, as when people
knot rags to sacred graves or trees; the holy influences with which
they have thus linked their persons penetrate their whole being and
cure their maladies. Many instances will be found in the author's
book *Christianity and Islam under the Sultans*. But suppliants for
such favours must placate the holy influences with prayers or

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl
[Laws enacted in Kastrat and Bajzë on Nov. 1, 1892]

Whoever brings pigs or sheep to Shpellë will be fined 50 grosh.
Whoever washes clothes at Shpellë will be fined 50 grosh.[1]

21. A man who leaves his sureties to pay his debt is to pay a fine of 225 grosh to his creditor and 150 grosh to the chiefs and 5 rams.

VI. Supplement dated 1894.

(From Father Gjeçov, *Kanùn*, pp. 124–5.)

1. Whoever takes a woman to live with him without marrying her or runs off with a married woman or a girl shall pay 1000 grosh to the Church, 500 grosh to the chiefs and 10 rams.

2. Whoever tears his face in mourning and lamentation for the dead, shall pay 1000 grosh to the Church, 1000 grosh to the chiefs and 10 rams.

3. Whoever does not permit the chiefs and fine-collectors to carry out a tribal law will be fined 500 grosh and 5 rams.

4. Whoever commits a murder during a truce or after the feud has been compounded will be fined 6 purses and 10 rams.

5. Whoever fires a rifle in a house where there is a wedding shall, whether he be a guest or the master of the house, pay 500 grosh and 5 rams.

The same fine shall be paid by whoever annoys another with abuse at table whether at a dinner or a wedding.

6. Whoever acts contrary to these laws, whether he be chief, fine-collector, or commoner, shall pay 3000 grosh.

Brahim Beg *serxherde*
Kasem Beg *bylikbash*
Dodë Prençi bajraktar
Zenel Shebani
Gjokë Doda
Keq Prela
Zef Gjeka
Prelë Toma
Gjelosh Nika
Vukusa' Leka
Brahim Vuksani

[In front of each of these names there is a Turkish seal.]

VII. Solemn Pledge for Flock and Shepherd in Nikaj and Shalë, St Prende's Day 1894.

(From Father Gjeçov, *Kanùn*, pp. 119–20.)

1. As regards roads it has been enacted as follows:
From the fountain in Faqe to the crucifix in Brazhdë the road is

[1] (Note by Father Gjeçov: Shpellë is the place where Bajzë and district take water.)

10: Hasluck F-5 (1926-1939)1954 EGl Albania EGl
[Laws Enacted by the Tribe of Kurbin, Aug. 5-7, 1906]

8. As for jurors, in every crime committed in Kurbin, a murder excepted, the jurors must give their oath, saying, 'That it has been stolen from you, I don't know.'[1]

9. What an informant says is said with an oath of how it was in mind.[2]

10. If a man quarrels deliberately with another and without informing the village elder, he will be fined 500 grosh.

If he informs the village elder and the latter asks for a pledge of good behaviour from the one who is oppressing the other and this man refuses to give it, he will be fined 500 grosh.

If the village elder cannot put things right he gives both men a month's grace and informs the other elders who shall settle the quarrel in accordance with the local law.

11. Anyone who gives food or admittance to his house to a Christian or a Mohammedan who is a policeman in the service of the Sultan shall be fined 1500 grosh.

12. If a man breaks a pledge of security given and taken in the presence of elders and commoners in Kurbin, the elders and commoners are under an obligation to burn his house and to expel him from the tribe.

Written in Delbinisht, Kurbin, at the spring of water under the mulberry tree near the Archbishop's palace on August 5th, 6th and 7th, 1906.

Gjin Pjetër Mark Pervizi of Skuraj, Kurbin, senior elder among the 45 elders of the environs of Krue, in the name of the elders and commoners.

Also present at this General Assembly and registrars of the aforesaid laws:

Mgr. Nikollë Kaçorri, witness.

Father Shtjefën K. Gjeçov, Franciscan, witness.

XII. Letter from Shalë dated May 12th, 1907.

(From Father Gjeçov, *Kanùn*, p. 127.)

1. Greetings from the bajraktar of Shalë, the notables and youth to you, chiefs and youth of Theth. We beg to inform you that the undermentioned laws have been enacted by the tribe of Lower Shalë. We let you know, asking if you too will abide by these laws. We laid down the

[1] The Italian version of clause 8 runs: *Il dovere del giurato per tutto ciò che accada nel territorio di Kurbini, salvo che nelle cause di uccisione, consiste nel giuramento di non cognoscere il colpevole.*

[2] The Italian translator has *La deposizione del delatore deve essere accompagnata dal giuramento.*